

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

STEVEN CROW, et al.,

Plaintiffs,

v.

COSMO SPECIALTY FIBERS, INC., et
al.,

Defendants.

CASE NO. 3:15-cv-05665-RJB

ORDER ON (1) DEFENDANTS
TSI-JJW'S MOTION FOR
SUMMARY JUDGMENT AND (2)
DEFENDANT AIRGAS
SPECIALTY PRODUCTS, INC.'S
MOTION FOR JOINDER

THIS MATTER comes before the Court on the Motion for Summary Judgment filed by Defendants Trans-System, Inc. d/b/a/ James James J. Williams Bulk Service (collectively, "Defendants TSI-JJW"). Dkt. 55. Defendant AirGas Specialty Products, Inc. separately filed a motion to join the summary judgment motion in part as to the ultra-hazardous activity and strict liability issued raised. Dkt. 60. The Court considered briefings filed in support of and in opposition to the motions, oral argument by the parties at a hearing held February 7, 2017, and the remainder of the file herein.

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INC.'S MOTION FOR JOINDER- 1

At the conclusion of the February 7, 2017 hearing, the Court ruled orally that the motion was denied in part and granted in part. As to the three issues raised in the motion for summary judgment (Dkt. 55), the Court's ruling is HEREBY MEMORIALIZED as follows:

(1) Prima facie case of negligence:

The motion is DENIED.

(2) Allegations of negligent hiring, retention, and supervision:

The motion is GRANTED. These allegations are STRICKEN.

(3) Ultra-hazardous activity and strict liability:


The motion is DENIED.

The Motion for Joinder (Dkt. 60) is DENIED as moot.

IT IS SO ORDERED.

The Clerk is directed to send uncertified copies of this Order to all counsel of record and to any party appearing *pro se* at said party's last known address.

Dated this 7th day of February, 2017.



ROBERT J. BRYAN
United States District Judge